



PATENT
Customer No. 22,852
Attorney Docket No. 03806.0424-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Luc CHANTELOUP et al.)

Serial No. 09/836,326)

Filed: April 18, 2001)

For: INTERMEDIATES FOR THE)
HEMISYNTHESIS OF TAXANES AND)
PREPARATION PROCESSES)
THEREFOR)

Group Art Unit: 1625)

Examiner: B. TRINH)

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In an Office Action dated October 30, 2002, the Examiner required restriction under 35 U.S.C. § 121 among Groups I, II, III, IV. Office Action at page 2. Applicants provisionally elect to prosecute Group I, claims 12-14, with traverse.

Applicants traverse on the ground that the claims would not be unduly burdensome to search as written. See M.P.E.P. § 803. "[A] serious burden on the examiner may be *prima facie* shown if the examiner shows by appropriate explanation of separate classification," among other things. *Id.* Here, the Examiner has not shown entirely separate classification. Instead, Groups I, II, and III are listed as falling within class 549, among others. Office Action at page 2. Groups II and III are both assigned to class 549, subclass 510. At the very least, Groups II and III should be joined together. Applicants respectfully request that the Examiner reconsider and withdraw the restriction requirement.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

RECEIVED
NOV 26 2002
TECH CENTER 16022903

#7
12-21-02

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 25, 2002

By:


Jeremy M. Stipkala
Reg. No. 44,359

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com